## REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on July 9, 2004. Pursuant to a telephone interview with the Examiner on June 22, 2004, a provisional election was made to prosecute claims 11-44 and cancel claims 1-10 and 44-52.

As such, claims 11-44 are now pending. The Applicant respectfully requests reconsideration of the present application and the allowance of all claims.

### Rejections under 35 USC § 102(e)

Claims 11-21 and 29-44 stand rejected under 35 U.S.C. 102(e) as being anticipated by Ramanathan et al., U.S. Patent No. 6,286,047 (hereinafter "Ramanathan"). Applicants' respectfully traverse the Examiner's rejections.

Ramanathan discloses a method and system for discovery of network services, service-elements, and dependencies. (See Abstract). However, Ramanathan does not teach all of the limitations of the above rejected claims.

Ramanathan does not disclose logically grouping a plurality of components at a data center into a single meta-server. Ramanathan simply teaches detecting "service elements and/or services that are utilized by a specific network to provide a particular service." (Col. 5, lines 59-62). This is not the same as grouping components into a meta-server. In Ramanathan

each element or service is still an independent entity that has no central control. Nor does Ramanathan even teach having all of the components of a meta-server. A meta-server includes services, resources, operators, and a controller to manage and collect information from each of the other components. Ramanathan at least does not have a controller. Its management station of Figures 8 and 9 is not the equivalent of a controller of Applicants' claims, which can perform several management functions with respect to the meta-server or the meta-server components. Ramanathan's management station collects information from the discovery of network components and their interdependencies but does not manage any of the network components or their interdependencies. Nor does it allow for a user to manage anything other than the collection of data. As such Ramanathan does not teach "using said information for one or more network management functions at said data center."

At least for this rationale Ramanathan does not anticipate claims 11 and 29. Ramanathan does not anticipate claims 12-21 and 30-39 as they are dependent upon claims 11 and 29 respectively.

Ramanathan does not teach "executing a simulation of said network operations based on said hierarchical relationships between said components." Ramanathan does teach creating a service model instance. This "service model instance maps services and service elements that exist in a particular ISP system with nodes in the service model template." (Col. 9,

lines 12-14). This instance may be used by a view generator to provide an "operations" <u>view</u> of services. (Col. 9, lines 18-27). This simply shows the relationships between services but does not simulate network operations. For at least this reason claim 40 is not anticipated by Ramanathan. Ramanathan does not anticipate claims 41-44 as they are dependent upon claim 40.

<u>Rejections under 35 USC § 103</u>

Claims 22-28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ramanathan et al., U.S. Patent No. 6,286,047 (hereinafter "Ramanathan"), in view of Munguia et al., U.S. Patent Application No. 2001/0052013 (hereinafter "Munguia"). Applicants' respectfully traverse the Examiner's rejections.

As described above, Ramanathan does not teach a controller that uses "said information for one or more network management functions at said data center." Ramanathan's management station collects information from the discovery of network components and their interdependencies but does not manage any of the network components or their interdependencies. Nor does it allow for a user to manage anything other than the collection of data. It can generate an "operations" <u>view</u> of services. (Col. 9, lines 18-27). For at least this reason claim 22 is not rendered obvious by Ramanathan in combination with Munguia. Ramanathan and Munguia do not render claims 23-28 obvious as they are dependent upon claim 22.

## CONCLUSION

Applicants respectfully submit that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully Submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 11 | 9 , 2004
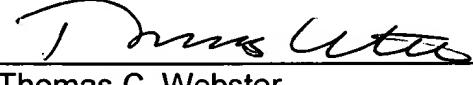
Thomas C. Webster
Reg. No.: 46,154

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300